

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the present amendment and the following discussion is respectfully requested.

Claims 11, 12, and 14-20 are pending in the present application, Claims 11, 14, 16, 17, 18, and 20 having been amended, and Claims 13 and 21 having been canceled without prejudice or disclaimer. Support for the present amendment is found, for example, in Applicants' Figs. 1-3. Applicants respectfully submit that no new matter is added.

In the outstanding Official Action, Claims 11-15 and 17-20 were rejected under 35 U.S.C. §103(a) as unpatentable over Brodsky et al (U.S. Patent No. 6,489,985, hereinafter "Brodsky") in view of Tomita et al. (U.S. Patent No. 5,369,493, hereinafter "Tomita"); and Claim 16 was rejected under 35 U.S.C. §103(a) as unpatentable over Brodsky in view of Tomita and further in view of Chiba et al. (U.S. Patent Application Publication No. 20010014543, hereinafter "Chiba").

Applicants thank the Examiner for the courtesy of an interview extended to Applicants' representative on September 17, 2009. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. No agreement was reached pending the Examiner's further review when a response is filed.

Applicants respectfully submit that amended Claim 11 patentably distinguishes over Brodsky and Tomita, taken alone or in proper combination. Amended Claim 11 recites, *inter alia*,

a laser source;

a galvanometric head comprising:

a wide field camera with a focusing lens,
with a first filter located at an output from the wide
field camera,

a narrow field camera with a focusing lens, with a second filter located at an output from the narrow field camera,

a guide mirror moveable between a first position and a second position, the first position blocking an output of the laser and reflecting light to the narrow field camera, the second position not blocking the output of the laser source,

galvanometric deflection mirrors, and

a lens that displays at least one object located on the tray,

wherein the wide field camera, the narrow field camera, and the laser source are disposed to use partly a same optical path that includes the galvanometric deflection mirrors and the lens that displays at least one object located on the tray.

Brodsky and Tomita, taken alone or in proper combination, do not disclose or suggest every element of amended Claim 11.

Brodsky describes a camera and does not disclose the wide field camera nor the narrow field camera. The Office relies upon Tomita to describe a wide field camera and a narrow field camera that partially share an optical path. However, the combination of these references does not disclose or suggest that the laser source, the wide field camera, and the narrow field camera all use partly a same optical path.

If a person of ordinary skill in the art were to add the cameras of Tomita to the system of Brodsky, there is no disclosure or suggestion in the cited references that such combination of laser and cameras should partially share an optical path.

Moreover, Claim 11 is further amended to indicate that the partially shared optical path includes the galvanometric deflection mirrors and the lens that displays at least one object located on the tray. The galvanometric mirrors in Brodsky are internal to scanner 40.¹

¹ Brodsky, col. 10, lines 25-46.

It is not clear how the system of Brodsky would be modified to include the cameras of Tomita partly sharing an optical path with the laser source and the galvanometric mirrors of Brodsky. Such modification cannot be achieved without a substantial reconstruction or redesign of the Brodsky system.²

Furthermore, Claim 11 describes a moveable mirror pertaining to one of the cameras and the laser source. The combination of Brodsky and Tomita do not disclose or suggest the claimed “a guide mirror moveable between a first position and a second position, the first position blocking an output of the laser and reflecting light to the narrow field camera, the second position not blocking the output of the laser source.” None of the mirrors in Brodsky or Tomita have all the features of the claimed “guide mirror.”³

In view of the above-noted distinctions, Applicants respectfully submit that amended Claim 11 (and Claims 12-19 dependent thereon) patentably distinguish over Brodsky and Tomita, taken alone or in proper combination. Claim 20, although of a different statutory class, recite elements analogous to those of Claim 11. Applicants respectfully submit that amended Claim 20 patentably distinguishes over Brodsky and Tomita, taken alone or in proper combination, for at least the reasons stated for Claim 11.

With regard to the rejection of Claim 16 as unpatentable over Brodsky in view of Tomita and further in view of Chiba, it is noted that Claim 16 is dependent from Claim 11, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Chiba does not cure any of the above-noted deficiencies of Brodsky and Tomita. Accordingly, it is respectfully submitted that Claim 16 is patentable over Brodsky in view of Tomita and further in view of Chiba.

² See In re Ratti, 270 F.2d 810, 813, 123 USPQ 349, 352 (reversing an obviousness rejection where the “suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a change in the basic principle under which the [primary reference] construction was designed to operate.”)

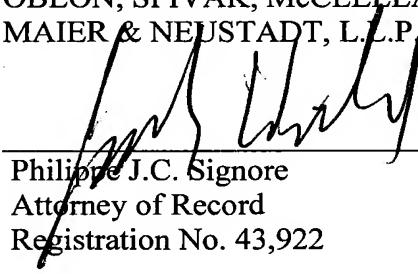
³ See MPEP §2173.05(g), “A functional limitation must be evaluated and considered, just like any other limitation of the claim....”

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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